

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

WILLIAM G. MITCHELL, #254703,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:08cv557-TMH
	)	
CHAPLAIN ANTHONY ASKEW, et al.,	)	
	)	
Defendants.	)	

**ORDER AND OPINION**

On September 25, 2008, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 22). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED and that:

1. The plaintiff's motion to dismiss is GRANTED.
2. This case is DISMISSED without prejudice.
3. No costs shall be taxed herein.

Done this the 29<sup>th</sup> day of October, 2008.

/s/ Truman M. Hobbs

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SENIOR UNITED STATES DISTRICT JUDGE